

[X] Required

[] Local

[X] Notice

GENERAL COUNSEL

The BOCES Board shall retain legal counsel, who shall be appointed at the Annual Organizational Meeting of the Board of Education as General Counsel. The President of the Board, or the District Superintendent or his/her designee, may contact General Counsel on legal matters affecting the operation of the BOCES.

The General Counsel must be admitted to the bar of New York State. The General Counsel will be the legal advisor to the BOCES. In that capacity, his/her duties will be:

1. to advise the BOCES with respect to all legal matters relating to the district, including, but not limited to, interpretation of the Education Law of the State of New York, and all other statutes, rules or regulations affecting the BOCES;
2. to be easily accessible to the Board and the District Superintendent (and, at the discretion of the District Superintendent, to his/her administrative staff), with respect to legal matters issuing out of the day-to-day administration of the BOCES;
3. to review and to represent the BOCES in the preparation of contracts, as requested by the BOCES (other than the contract for school attorney services);
4. to advise and assist in matters of litigation;
5. to review the legality of select policies or regulations to be adopted by the Board;
6. to review and advise with respect to any process served upon the BOCES;
7. to recommend the retainment of such special counsel as he or she may deem necessary in the circumstances, subject to the approval of the Board; and
8. to attend regular, special and committee meetings, if requested by the Board President, District Superintendent or Committee Chairperson.

The selection of the General Counsel shall be carried out in accordance with state law and regulation, as well as Board policy.

Any reference to School Attorney in BOCES Policies or Regulations shall mean the Office of General Counsel, as set forth in this policy.

Cross-ref: 2210, Board Organizational Meeting
6741, Contracting for Professional Services

Adoption date: June 15, 2009

Amended: November 20, 2017